

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PORSHAY MURRAY,

Plaintiff,

v.

PORTFOLIO RECOVERY
ASSOCIATES, LLC,

Defendant.

No. 1:22-cv-01449-NODJ-SKO

ORDER ENTERING JUDGMENT AGAINST
DEFENDANT PORTFOLIO RECOVERY
ASSOCIATES, LLC AND SETTING FILING
DEADLINE FOR PLAINTIFF'S MOTION
FOR ATTORNEYS' FEES AND COSTS

(ECF No. 5)

On January 5, 2023, Plaintiff Porshay Murray filed a notice of acceptance of Defendant's Federal Rule of Civil Procedure 68 offer of judgment. (ECF No. 5.)

Under Federal Rule of Civil Procedure 68(a), a defendant may serve an offer to allow judgment on specified terms to the opposing party at least two weeks before trial. Fed. R. Civ. P. 68(a). Any acceptance by the opposing party of the offer must be made through written notice. *Id.* Thereafter, "either party may then file the offer and notice of acceptance, plus proof of service." *Id.*

Here, Defendant Portfolio Recovery Associates, LLC served Plaintiff with a Rule 68 offer of judgment on December 22, 2022 in the amount of \$2,001.00, plus reasonable attorneys' fees and costs in an amount to be determined by the court upon a noticed motion. (*See* ECF No. 5-1 at 1–2.) Plaintiff accepted the offer in writing on January 5, 2023. (ECF No. 5.) Plaintiff now

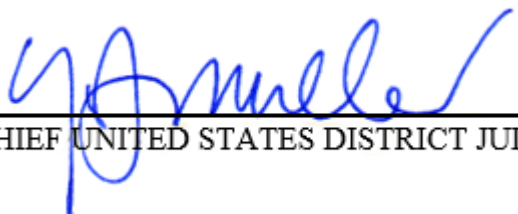
requests that judgment be entered in favor of Plaintiff and against Defendant Portfolio Recovery Associates, LLC in the sum of \$2,001.00, and that the matter of reasonable attorneys' fees and costs be reserved, to be determined by stipulation or by the court on motion. (*Id.*) Defendants also reserved the right to oppose plaintiff's motion for attorneys' fees and costs. (ECF No. 5-1 at 2-3.)

Accordingly,

1. The Clerk of the Court is directed to enter judgment in favor of Plaintiff Porshay Murray and against Portfolio Recovery Associates, LLC in the amount of \$2,001.00, plus reasonable attorneys' fees and costs (ECF No. 5);
2. A stipulation or Plaintiff's motion for attorneys' fees and costs shall be filed within 60 days of the date of this order; and
3. Defendant's opposition, or statement of non-opposition, to any motion for attorneys' fees and costs, shall be filed in compliance with Local Rule 230.

IT IS SO ORDERED.

DATED: January 3, 2024.


CHIEF UNITED STATES DISTRICT JUDGE